<u>REMARKS/ARGUMENTS</u>

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-14, 16, and 17 are presently pending in this case.

In the outstanding Official Action, Claims 1-3, 13, 14, 16, and 17 were rejected under 35 U.S.C. §103(a) as unpatentable over <u>Saito et al.</u> (U.S. Patent Application Publication No. 20010018685, hereinafter "<u>Saito</u>") in view of <u>Hane et al.</u> (U.S. Patent Application Publication No. 20020157096, hereinafter "<u>Hane</u>") and further in view of <u>Yoon</u> (U.S. Patent Application Publication No. 20030061239) and <u>Agrawal et al.</u> (U.S. Patent No. 6,370,526, hereinafter "<u>Agrawal</u>"); and Claims 4-12 were rejected under 35 U.S.C. §103(a) as unpatentable over <u>Saito</u> in view of <u>Hane</u>, <u>Yoon</u>, and <u>Agrawal</u> and further in view of <u>Platt</u> (U.S. Patent No. 6,987,221).

With regard to the rejection of Claim 1 as unpatentable over <u>Saito</u> in view of <u>Hane</u> and further in view of <u>Yoon</u> and <u>Agrawal</u>, that rejection is respectfully traversed.

Claim 1 recites in part:

> generating means for generating user preference
> information indicating preferences of a user based on the use
> frequency calculated by said calculating means, said generating
> means generating user preference information based on a
> ***normalized*** use frequency for each group, s***aid normalized use***
> ***frequency normalized based on use frequencies of all***
> ***contents in each respective group delivered during a time***
> ***period corresponding to a use history***.

The outstanding Office Action conceded that <u>Saito</u>, <u>Hane</u>, and <u>Yoon</u> do not teach generating user preference information based on a normalized use frequency, and cited <u>Agrawal</u> as describing this feature.[1] However, it is respectfully submitted <u>Agrawal</u> only describes ranking items based on a preference model where penalties and bonuses are assigned based on characteristics of the items, such as words included in the documents or the

---

[1] See the outstanding Office Action at page 6, line 4 to page 7, line 2.

order the documents are reviewed.[2] It is respectfully submitted that no portion of Agrawal

teaches or suggests normalizing the resulting preference data based on use frequencies of all

contents in each respective group delivered during a time period corresponding to a use

history. In fact, no time periods are identified by Agrawal as a use history, much less

calculating use frequencies of all contents delivered during a time period corresponding to a

use history. Therefore, Agrawal does not teach or suggest a normalized use frequency for

each group *based on use frequencies of all contents* in each respective group *delivered*

during a time period corresponding to a use history.

Accordingly, it is respectfully submitted that the proposed combination of Saito,

Hane, Yoon, and Agrawal does not teach or suggest "generating means" as defined in Claim

1. Consequently, Claim 1 (and Claims 2-12 and 16 dependent therefrom) is patentable over

Saito in view of Hane and further in view of Yoon and Agrawal.

Claims 13 and 14 recite in part:

> generating user preference information indicating
> preferences of a user based on the use frequency calculated in
> said calculating, said generating including generating user
> preference information based on a *normalized use frequency*
> for each group, said *normalized use frequency normalized*
> *based on use frequencies of all contents in each respective*
> *group delivered during a time period corresponding to a use*
> *history*.

As noted above, Agrawal only describes ranking items based on a preference model

where penalties and bonuses are assigned based on characteristics of the items, such as words

included in the documents or the order the documents are reviewed. No portion of Agrawal

teaches or suggests normalizing the resulting preference data based on use frequencies of all

contents in each respective group delivered during a time period corresponding to a use

history. In fact, no time periods are identified by Agrawal as a use history, much less

calculating use frequencies of all contents delivered during a time period corresponding to a

---

[2]See Agrawal, column 9, line 62 to column 10, line 22 and column 12, lines 15-20.

3

use history. Thus, it is respectfully submitted that the proposed combination of Saito, Hane,

Yoon, and Agrawal does not teach or suggest "generating user preferences" as defined in

Claims 13 and 14. Consequently, Claims 13 and 14 are also patentable over Saito in view of

Hane and further in view of Yoon and Agrawal.

Claim 17 recites in part:

> a preference generating unit configured to generate user
> preference information indicating preferences of a user based
> on the use frequency calculated by said calculating unit, said
> preference generating unit configured to generate user
> preference information based on a normalized use frequency
> *for each group*, said normalized use frequency normalized
> based on use frequencies of all contents *in each respective
> group* delivered during a time period corresponding to a use
> history.

As noted above, Agrawal only describes ranking items based on a preference model

where penalties and bonuses are assigned based on characteristics of the items, such as words

included in the documents or the order the documents are reviewed. No portion of Agrawal

teaches or suggests any device normalizing the resulting preference data based on use

frequencies of all contents in each respective group delivered during a time period

corresponding to a use history. In fact, no time periods are identified by Agrawal as a use

history, much less calculating use frequencies of all contents delivered during a time period

corresponding to a use history. Thus, the proposed combination of Saito in view of Hane and

further in view of Yoon and Agrawal does not teach or suggest "a preference generating unit"

as defined in Claim 17. Consequently, Claim 17 is also patentable over Saito in view of

Hane and further in view of Yoon and Agrawal.

With regard to the rejection of Claims 4-12 as unpatentable over Saito in view of

Hane, Yoon, and Agrawal and further in view of Platt, it is noted that Claims 4-12 are

dependent from Claim 1, and thus are believed to be patentable for at least the reasons

discussed above. Further, it is respectfully submitted that Platt does not cure any of the

above-noted deficiencies of <u>Saito</u>, <u>Hane</u>, <u>Yoon</u>, and <u>Agrawal</u>. Accordingly, it is respectfully

submitted that Claims 4-12 are patentable over <u>Saito</u> in view of <u>Hane</u>, <u>Yoon</u>, and <u>Agrawal</u>

and further in view of <u>Platt</u>.

Accordingly, the pending claims are believed to be in condition for formal allowance.

An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

I:\ATTY\ET\272841US\272841US-AMD8.7.08.DOC

Edward W. Tracy, Jr.
Registration No. 47,998

5